

PATENT  
Serial No. 09/614,810  
Amendment in Reply to Office Action of December 6, 2005

REMARKS/ARGUMENT

This Amendment is being filed in response to the Office Action dated December 6, 2005. Reconsideration and allowance of the application in view of the following remarks are respectfully requested.

Claims 1, 3-12, 16-17 and 19 are pending in this application where claim 1, 4-7 and 17 have been by means of the present amendment. Claims 1 and 17 are independent claims.

In the Office Action, claims 4-7 are rejected under 35 U.S.C. §112, second paragraph for being dependent on canceled claim 2. In response, claims 4-7 have been amended to change dependence thereof from canceled claim 2 to claim 1. Accordingly, withdrawal of this rejection of claims 4-7 is respectfully requested.

In the Office Action, claims 1, 4, 6, 11-12, 16-17 and 19 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by an article entitled "Digital Watermarking of MPEG-2 Coded Video in the Bitstream Domain" (Hartung). Further, claim 3 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hartung. Claims 5 and 7-10 are rejected under 35 U.S.C. §103(a) as allegedly

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unpatentable over Hartung in view of the prior art Figure 1D of the present application. It is respectfully submitted that claims 1, 3-12, 16-17 and 19 are patentable over Hartung and Figure 1D for at least the following reasons.

As noted by the Examiner, Hartung teaches on page 2623, right column, 10 line above and 2 line below Figure 7, to:

compare the number  $n_1$  of bits for the new Huffman codeword with the number of bits  $n_0$  for the old, unwatermarked coefficient... we only transmit the watermarked coefficient if  $n_1 < n_0$ . (Emphasis added)

Thus, Hartung makes the watermark transmission decision based on the number of bits of each code word and prevents transmission if number of bits of the new code word is larger than the number of bits of the old code word.

In stark contrast, the present invention as recited in amended independent claim 1, and similarly recited in amended independent claim 17, amongst other patentable elements, requires:

said old code word being replaceable with a longer code word as long as the length of the given sequence is compensated with a shorter replaced code word so that the length of the given sequence does not substantially exceed the original length of said sequence. (Emphasis added)

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Replacing a longer code word as recited in independent claims 1 and 17 is nowhere taught or suggested in Hartung. Rather, Hartung prevents transmission or replacement of longer code words. Thus, Hartung teaches away from the present invention as recited in independent claims 1 and 17.

Figure 1D of the present application, assuming arguendo it is prior art, is cited in rejecting dependent claims to allegedly show other features and does not remedy the deficiencies in Hartung.

Accordingly, it is respectfully submitted that independent claims 1 and 17 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 3-12, 16 and 19 should also be allowed at least based on their dependence from independent claims 1 and 17, as well as for the separately patentable elements contained in each of the dependent claims.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the

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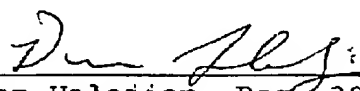
presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due beyond the fee for five additional claims in excess of twenty to be charged to the credit card as noted by the enclosed authorization. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
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THORNE & HALAJIAN, LLP  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101